RNI No. **KARBIL/2001/47147**

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೮ **Volume 148**	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಜನವರಿ ೩೧, ೨೦೧೩ (ಮಾಘ ೧೧, ಶಕ ವರ್ಷ ೧೯೩೪) **Bangalore, Thursday, January 31, 2013 (Magha 11, Shaka Varsha 1934)**	ಸಂಚಿಕೆ ೫ **Issue 5**

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 53 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 7ನೇ ನವೆಂಬರ್ 2012.

2012ನೇ ಸಾಲಿನ 30–06–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 559(E) ದಿನಾಂಕ: 30–06–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Food and Public Distribution)

NOTIFICATION

New Delhi, the 30th July, 2012

G.S.R. 599(E).- In exercise of the powers conferred by section 9 of the Sugar Development Fund Act, 1982 (4 of 1982), the Central Government hereby makes the following rules further to amend the Sugar Development Fund Rules, 1983, namely.-

1. (1) These rules may be called the Sugar Development Fund (Amendment) Rules, 2012.

   (2) They shall come into force on the date of their publication in the Official Gazette .

2. Throughout the Sugar Development Fund Rules, 1983 (hereinafter referred to as the said rules), for the words "Department of Food", the words "Department of Food and Public Distribution" shall be substituted.

3. In the said rules, in rule 2, -

(a) for clause (n), the following clause shall be substituted, namely-

"(n) sugar undertaking" means an undertaking which is engaged in the manufacture or production of sugar by means of vacuum pan and with the aid of mechanical power and includes a company incorporated under the Companies Act, 1956 or a Co-operative Society registered under the Co-operative Societies Act of any State, of which the sugar factory is a part;

(b) clause (00) shall be omitted.

4. In the said rules, in rule 3, -

(a) in sub-rule (I), for the words, figures, letters and brackets "Major Head '309'-C-Food-C9- other expenditure-C9(3) Payments against collection of Cess on Sugar (Non-Plan)", the following words, figures and brackets shall be substituted, namely:-

"Major Head "2408-Food, Storage and Warehouses", Sub-Major Head "Ol-Food", Minor Head "797-Transfer to or from Reserve Funds and Deposit Accounts and Sub-Head "01 - Transfer to or from Sugar Development Fund" (Object Head '·63-Inter-Account Transfer") 'or any other Major Head or Head of Account that may be allocated for the purpose";

(b) in sub-rule (2), after the words "authority concerned", the following words shall be inserted, namely: - "either by electronic transfer to the Government account operated for this purpose In such manner as may be specified by the Accounts Officer or";

(c) after sub-rule (2); the following sub-rule shall be inserted, namely.-

"(3) The financial institution, person or authority concerned shall, within three working days of receipt of repayment of loan or payment of interest thereon or any other receipt from the loanee sugar factory or undertaking, credit the said amount to the Fund, failing which, interest provision applicable to sugar factories in default of such amount as specified in sub- rule (3) of rule 25 shall apply to financial institution, person, or authority."

5. In the said rules, in rule 5, -

(a) in sub-rule (I), for the words and figures "Major Head "829" Development and Welfare Funds - Development Funds for Agricultural Purposes - Sugar Development Fund", the following words and figures shall be substituted, namely:-

"Major Head "8229 - Development and Welfare Fund", Minor Head "105- Sugar Development Fund", or' any other Major Head or Head of account that may be allocated for the purpose";

(b) for sub-rule (2), the following sub-rule shall be substituted, namely:-

"(2) All expenditure incurred for the purposes of the Act and these rules shall be met initially from the Consolidated Fund of India under the following Major Heads or Heads of Accounts or any other Major Head or Head of Account that may be allocated for the purpose, and finally debited to the Fund under the Head of Account specified in sub-rule (I), namely:-

A. REVENUE SECTION

Major Head - 2408 - Food, Storage and Warehousing

Sub-Major Head - 01 - Food

Minor Head - 001 - Direction and Administration

(i) Sub-Head - 02 - Other offices
Detailed Head - 02 - Administration of Sugar Development Fund (02.02.01 - Salaries and 02.02.50 - Other charges.
Minor Head - 800 - Other Expenditure;

(ii) Sub Head - 01 - Subsidy for maintenance of buffer stock of sugar (01.00.33 - Subsidies);

(iii) Sub Head - 02 -- Grants in aid for Development of Sugar Industry (02.00.31 - Grants-in-aid General);

(iv) Sub Head - 06 - Reimbursement of Internal Transport and Freight Charges to sugar factories on export shipments and payment of other permissible claims (06.00.33 - Subsidies);

(v) Sub Head - 08 - Scheme for Extending Finance Assistance to Sugar Undertakings 2007 (08.00.33 - Subsidies).

B. CAPITAL SECTION

Major Head - 6860-Loans for Consumer Industries

Sub-Major Head - 04 – Sugar

Minor Head 190 - Loan to Public Sector and other undertakings.

(i) Sub-Head-03-Rehabilitation/Modernization of Sugar mills
(03.00.55-Loans and Advances);

(ii) Sub Head- 04-Sugar Mills for Cane Development
(04.00.55-Loans and Advances);

(iii) Sub Head- 06-Sugar Factories for bagasse based cogeneration power project
(06.00.55-Loans and Advances);

(iv) Sub Head 07-Sugar factories for production for Anhydrous Alcohol or Ehtanol from Alcohol
(07.00.55-Loans and Advances).".

6. In the said rules, for rule 6, the following rule shall be substituted, namely:-

"6. Standing Committee.- As soon as may be after the coming into force of these rules, the Central Government may constitute a Standing Committee consisting of the following members, namely.

(1) Secretary, Department of Food and Public Distribution - Chairman;

(2) Finance Secretary, Ministry of Finance or his representative not below the rank of Director - Member;

(3) Secretary, Department of Agriculture and Cooperation or his representative not below the rank of Director - Member;

(4) Secretary in the Ministry of Finance (Department of Expenditure) or his representative not below the rank of Director - Member;

(5) Secretary, Planning Commission or his representative not below the rank of Director - Member;

(6) Joint Secretary, Ministry of Finance (Department of Financial Services) or his representative not below the rank of Director - Member;

(7) Joint Secretary, Department of Food and Public Distribution - Member;

(8) Chief Director, Directorate of Sugar Department of Food and Public Distribution - Member;

(9) Director or Deputy Secretary in the Sugar wing of the 'Department of Food and Public Distribution – Member-Secretary:

Provided that the Central Government may nominate not more than two officers of that Government or of an educational or research institute, autonomous body or an undertaking of that Government having special knowledge of any aspect of sugar industry as additional members of the Committee as experts:

Provided further that the Central Government may invite representatives from the industry or knowledge groups or financial institutions, to the meetings of the Standing Committee.

7. In the said rules. in rule 9, for the words "Three members in the case of the Committee and two members", the words, "Five members in the case of the Committee and three members" shall be substituted.

8. In the said rules, in rule 13,-

(a) in the first proviso, for the words "three members in the case of the Committee and two members", the words "five members in the case of the Committee and three members" shall be substituted:

(b) in the second proviso, for the words, "three members of the Committee or two members", the words "five members of the Committee or three members"shall be substituted.

9. In the said rules, in rule 16,-

(A) in sub-rule (1),-

(a) for the words "its plant and machinery", the words "plant and machinery of its sugar factory or any of its sugar factories" shall be substituted;-

(b) in clause (b),-

(i) the words "or sponsored by the Technology Information, Forecasting and Assessment Council in respect of the Scheme Mission Mode Project on Sugar Production Technologies of the Department of Science and Technology shall normally be eligible for a loan under this rule" shall be omitted;

(ii) for the first proviso; the following proviso shall be substituted, namely:-

"Provided that a sugar undertaking that has availed of a loan in respect of a sugar factory under this rule shall not be eligible for any further loan under this rule during the period in which the previous loan under this rule or a loan under sub rule (1) of rule 21 in respect of that factory, alongwith interest thereon, has not been fully repaid:";

(iii) in the second proviso, for the words “class or classes of sugar undertakings", the words "class or classes of sugar factories or sugar undertakings" shall be substituted;

(B) after sub-rule (I), the following sub-rule shall be inserted, namely:-

"(IA) A sugar undertaking shall not be eligible to apply for a loan under this rule for one or more of the following reasons or purposes, namely;-

(a) a second hand project, equipment or machinery:

Provided that a sugar undertaking shall be eligible to apply for a loan for a project where second hand equipment or machinery has been used or is proposed to be used, subject to the following conditions, namely:-

(i) use of such second hand machinery or equipment shall not change the overall character of the project, which shall essentially consist of new plant, machinery and equipment;

(ii) it shall technically be certified that the use of the second hand machinery or equipment shall not affect the overall efficiency and life of the project;

(iii) the useful life of the second hand machinery or equipment so used shall not be less than the term of repayment of sugar development fund loan;

(iv) subject to fulfillment of conditions specified in clauses (i) to (iii), the estimated or actual cost of machinery or equipment which are not new shall be deducted from the estimated or actual cost of the project before arriving at the eligible project cost for the purpose of sugar development fund loan;

(b) refinancing;

Explanation.- For the purpose of this clause, the term 'refinancing' includes availing of loan for repayment of loan taken from any financial institution or scheduled bank before applying to a financial institution or bank for appraisal in which Sugar Development Fund

component is proposed, but shall not include a 'bridge loan' taken in lieu of Sugar Development Fund component after submitting an application to the Standing Committee on Sugar Development Fund.

(c) financing of-cost over run;-

(d) project commissioned prior to the date of application under these rules;

(e) if such sugar undertaking is a defaulter in respect of repayment of loan availed under Sugar Development Fund or in payment of any dues under the Levy Sugar Price Equalization Fund in respect of any of its sugar factories."; -

(C) in sub-rule (2), for the words "eleven", the word "two" shall be substituted;

(D) for sub-rule (6), the following sub-rule shall be substituted, namely:-

"(6) The Central Government may, after taking into consideration recommendations made by the Committee or any other relevant factor, authorise payment to a sugar undertaking of such amount of loan, not exceeding the amount required by the financial institution or a scheduled bank, as the case may be, to be contributed by such sugar undertaking as promoter's contribution, as may be determined by the Central Government:

Provided that the loan from the Fund shall be granted if the sugar undertaking contributes a minimum of ten percent of the loan applied for from its own resources as promoter's contribution:

Provided further that the Central Government shall authorise payment of the said loan under this sub-rule only to such sugar undertaking who have fully repaid all the sums which have become due in respect of Sugar Development Fund and Levy Sugar Price Equalisation Fund.";

(E) in sub-rule (9),-

(a) in clause (i), for the words "Financial Institution or a Scheduled Bank, as the case may be," the words "Nodal Agency so appointed by the Central Government on its behalf." shall be substituted;

(b) in clause (iv),-

(i) for the words "a period of eight years reckoned from the date of disbursement of fund loan, whichever is earlier, and loan from the fund along with interest due thereon shall be recoverable in annual instalments not-exceeding five", the words "a period of five years reckoned from the date of disbursement of fund loan, whichever is earlier, and loan from the fund along with interest due thereon shall be recoverable in half yearly instalments not exceeding ten" shall be substituted;

(ii) the proviso shall be omitted;

(F) sub-rule (11) shall be omitted.

10. In the said rules, in rule 16A,-

(a) sub-rule (3), for the words "sugar factories", the words "sugar undertakings" shall be substituted;

(b) in sub-rule (4), for the words "four equal annual installments", the words "eight equal half yearly installments" shall be substituted.

11. In the said rules, in rule 17,-

(a) in sub-rule (1),-

(i) for the words "in its area", the words "in the area in which its sugar factory or any of its sugar factories is situated," shall be substituted;

(ii) after clause (e), the following clause shall be inserted, namely:-

"(ea) purchase of mechanical planters and harvesters;";

(iii) for the provisos, the following provisos shall be substituted, namely.-

"Provided that loans from the Fund shall be granted only if the Central Government is satisfied on the basis of the information given in Form III that no financial assistance is available for the purpose from any other agency, and if available, the amount thereof is, in the opinion of the Central Government, inadequate and needs to be supplemented by loans from the Fund.

Provided further that the loan from the Fund shall be granted only if the Sugar Undertaking or the State Government contributes a minimum of ten per cent of the loan applied for from its own resources as margin money:

Provided also that the Central Government may accord sanction for a loan under this rule to a sugar undertaking in respect of a sugar factory only on one occasion and no further loan under this rule shall be sanctioned during the period in which the previous loan under this rule or a loan under sub-rule (2) of rule 21 in respect of that sugar factory, along with interest thereon, has not been fully repaid:

Provided also that a sugar undertaking shall not be eligible to apply for the loan under this rule if it is a defaulter in respect of repayment of Sugar Development Fund loan or payment of Levy Sugar Price Equalization Fund in respect of any of its sugar factories:

Provided also that where a sugar undertaking has not availed the loan sanctioned under this rule in respect of any of its sugar factories, it shall not be eligible for grant of loan under this rule for a period of five years from the date of such sanction:";

(b) in sub-rule (2), the following proviso shall be inserted, namely;-

"Provided that the Central Govemment may appoint any agency for monitoring of utilisation, progress of the implementation of the scheme and achievement of physical and financial targets of the scheme for which the loan is advanced and such agency shall give its report directly to the Central Government.";

(c) in sub-rule (3), in clause (a), for the words "annual installments not exceeding four in number and the interest on the loan shall be paid annually", the words "half yearly installments not exceeding eight in number and the interest on the loan shall be paid half yearly" shall be substituted;

(d) in sub-rule (4), for the words "twelve copies" and "eleven copies", the words "three copies" and "two copies" shall respectively be substituted.

12. In the said rules, in rule 17 A,-

(a) for the words "sugar factories", wherever they occur, the words "sugar undertaking" shall be substituted;

(b) in sub-rule (I), for the words" in their specified areas", the words "in the area in which its sugar factory or any of its sugar factories is situated," shall be substituted;

(c) in sub-rule (3), after the words "levy sugar price equalization fund", the words" in respect of all the sugar factories or units thereof under it," shall be inserted;

(d) in sub-rule (4), for the words "four equal annual instalments", the words "eight-equal half yearly instalments" shall be substituted.

13. In the said rules, in rule 19,-

(a) for the words "sugar undertaking", wherever they occur, the words "sugar factory" shall be substituted;

(b) in sub-rule (14), for the words "to every sugar factory, which has", the words "to every sugar undertaking in respect of a sugar factory or such sugar factories which have", shall be substituted;

(c) in sub-rule (14A),-

(i) for the words, brackets and figures "in sub-rule (15) to a sugar factory", the words, brackets and figures "in sub-rule (15) to a sugar undertaking in respect of a sugar factory" shall be substituted;

(ii) in the first, second and third proviso, for the words "sugar factory", the words' "Sugar undertaking in resoect of a sugar factory" shall be substituted.

14. In the said rules, in rule 20,-

(a) in sub-rule (3),--

(i) In Explanation 1, for the words "and that sugar factory shall be eligible for reimbursement of expenditure incurred on internal transport and freight charges on such export shipments of sugar, provided that the agreement entered into by the sugar factory", the words "and that sugar undertaking in respect of a sugar factory shall be eligible for reimbursement of expenditure incurred on internal transport and freight charges on such export shipments of sugar, provided that the agreement entered into by the sugar undertaking in respect of a sugar factory" shall be substituted; -

(ii) for Explanation II, the following Explanation shall be substituted, namely:-

"Explanation. II.- Where a sugar undertaking in respect of a sugar factory has exported sugar through an exporter, the customs attested Export Promotion copy of the Shipping Bill shall Indicate the name of the exporter and of the sugar undertaking in respect of a sugar factory".

(b) in sub-rule (4), in the proviso, after the words "if a sugar", the words "undertaking in respect of a sugar" shall be inserted;

(c) in sub-rule (5), -

(i) in clause (b), after the words "by the sugar", the words "undertaking in respect of a sugar" shall be inserted;

(ii) in clause (j), after the words "where the sugar", the words "undertaking in respect of a sugar" shall be inserted;

(d) in sub-rule (6), after the words "A sugar", the words "undertaking in respect of a sugar" shall be inserted;

(e) in sub-rule (7),-

(ii) for clause (iv), the following clause shall be substituted, namely:-

"(iv) where a sugar undertaking in respect of a sugar factory has preferred to transport export consignments of sugar by road instead of railway, the claim for reimbursement of expenditure on internal transport ana freight charges shall be restricted to the total of transportation charges and railway freight charges as specified in clauses (i) to (iii) or the actual transportation charges by road incurred by the sugar undertaking in respect of a sugar factory, whichever is less.";

(ii) in the Explanation, after the words "and the sugar", the words "undertaking in respect of a sugar" shall be inserted;

(f) in sub-rule (8), after the words "A sugar", the words "undertaking in respect of a sugar" shall be inserted;

(g) in sub-rule (9), after the words "A sugar", the words "undertaking in respect of a sugar" shall be inserted;

(h) in sub-rule (10), after the wnrds "A Sugar", the words "undertaking in respect of a Sugar" shall be inserted;

(i) for sub-ruIe (11), the following sub-ruIe shall be substituted, namely:-

"(11) The reimbursement claim of the sugar undertaking in respect of a sugar factory shall be settled within forty-five days of the receipt of the complete documents from the sugar undertaking in respect of that sugar factory unless the Central Govemment has communicated in writing to the sugar undertaking in respect of that sugar factory to furnish any requisite document within the said period.";

(j) in sub-rule (12), for the words "sugar factory", wherever they occur, the words" sugar undertaking" shall be substituted.

15. In the said rules, in rule 20A, the following explanation shall be inserted, namely:-

"Explanation: For the purposes of this rule, the provision regarding clearance of can price arrears shall apply only to the amounts payable and paid to a sugar factory during the sugar seasons 2006-07 and 2007-08".

16. In the said rules, in rule 21,-

(a) in sub-rule (I), in the second proviso, the words "or sponsored by the Technology, Information, Forecasting and Assessment Council in respect of Scheme Mission Mode Project on Sugar Production Technologies of the Department of Science and Technology for modernization and rehabilitation of its plant and machinery" shall be omitted;

(b) in sub-rule (4), for the words "eleven", the word "two" shall be substituted;

(c) in sub-rule (5), for the words 'twelve", the word "two" shall be substituted;

(d) in sub-rule (11), clause (v) shall be omitted.

17. In the said rules, in rule 22,-

(A) for sub-rule (I), the following sub-ruIe shall be substituted:

"(1) Any sugar tactory of an undertaking having an installed capacity of 2500 Tonnes Crushed per Day or higher to which financial assistance has been approved by a financial institution or a scheduled bank for it to implement a project for production of anhydrous alcohol or ethanol from alcohol or molasses by installing the required plant and machinery shall be eligible to apply for loan under this rule:

Provided that at least ten percent of the project cost is being met by the sugar factory of an undertaking from its own internal generation of fund as part of the promoters contribution required by the financial institution or the scheduled bank."

(B) for sub rule (2), the following sub-rule shall be substituted, namely;-

"(2) A sugar undertaking that has availed of a loan in respect of a sugar factory under this rule shall not be eligible for another loan for the same sugar factory during the period in which the previous loan under this rule along with interest thereon has not been fully repaid.

(C) for sub-rule (3), the following sub-rule shall be substituted, namely:-

"(3) A sugar undertaking which is in default of payment that has become due in respect of the Sugar Development Fund and the Levy Sugar Price Equalization Fund relating to any of the sugar factories or units under it shall not be eligible to apply for a loan under this rule".

(D) for sub-rule (4), the following sub-rule shall be substituted, namely:-

"(4) A sugar undertaking shall not be eligible to apply for a loan under this rule for one or more of the following reasons or purposes, namely;

(a) a second hand project, equipment of machinery:

Provided that a sugar undertaking shall be eligible to apply for a loan for a project where second hand equipment or machinery has been used or is proposed to be used, subject to the following conditions, narnely..

(i) use of such second hand machinery or equipment shall not change the overall character of the project, which shall essentially consist of new plant, machinery and equipment;

(ii) it shall technically be certified that the use of the second hand machinery or equipment shall not affect the overall efficiency and life of the project;

(iii) the useful Iife of the second hand machinery or equipment so used shall not be less than the term of repayment of sugar development fund loan;

(iv) subject to fulfillment of conditions specified in clauses (i) to (iii), the estimated or actual cost of machinery or equipment which ate not new shall be deducted from the estimated or actual cos! of the project before arriving at the eligible project cost for the purpose of sugar development fund loan;

(b) refinancing.

Explanation:- For the purpose of this clause, the term 'refinancing' includes availing of loan for repayment of loan taken from any financial institution or scheduled bank before applying to a financial institution or bank for appraisal in which Sugar Development Fund component is proposed, but shall not include a 'bridge loan' taken in lieu of Sugar Development Fund component after subm itting an application to the Standing Committee on Sugar Development Fund;

(c) financing of cost over run;

(d) project commissioned prior to the date of application under these rules;

(e) if such sugar undertaking is a defaulter in respect of repayment of loan availed under Sugar Development Fund or in payment of any dues under the Levy Sugar Price Equalization Fund in respect of any of its sugar factories,";

(E) in sub-rule (5), for the words "sugar factory", the words "sugar undertaking" shall be substituted;

(F) in sub-rule (6), for the words -"sugar factory", the words "sugar undertaking',' shall be substituted;

(G) in sub-rule (9), for the words. "sugar factory", wherever they occur, the word's "sugar undertaking" shall be substituted;

(H) in sub-rule (10),-

(i) for the words "sugar factory", wherever they occur, the words "sugar undertaking" shall be substituted;

(ii) in clause (a), for the words "falling under clause (a) of sub-rule (1) of this rule," the words "under this rule" shall be substituted;

(iii) clauses (b) and (c) shall be omitted.

(1) for sub-rule (11), the following sub-rule shall be substituted, namely.-

"(11) The amount of loan authorised under sub-rule (10) shall be disbursed by the Central Government to the sugar undertaking or paid' by it to the Financial Institution or the Scheduled Bank, as the case may be, for disbursement to the sugar undertaking either in lump sum or in instalments as may be considered necessary by the Central Government.";

(J) in sub-rule (12), the words "under clause (a) or clause (c) of sub-rule (10)" shall be omitted;

(K) in sub-rule (15), for the words "sugar factory", the words "sugar undertaking" shall be substituted;

(L) sub-rule (17) shall be omitted;

(M) for the Explanation, the following Explanation shall be substituted, namely:-

"Explanation - For the purpose of this rule, the expression "sugar factory" includes any unit thereof (which mayor may not be within the premises of the sugar factory) used for production of anhydrous alcohol or ethanol from alcohol or from molasses for which raw material is supplied by such sugar factory in accordance with the norms specified by the Standing Committee in this behalf."

18. In the said rules, in rule 23,-

(A) for the words "sugar factory", wherever they occur, the words "sugar factory of a sugar undertaking" shall be substituted;

(B) in sub-rule (3), after the word "levy sugar price equalization fund", the words "in respect of any of the sugar factories or units thereof" shall be inserted;

(C) for sub-rule (4), the following sub-rule shall be substituted, namely-

"(4) A sugar undertaking shall not be" eligible to apply for 2 loan under this rule for one or more of the following reasons or purposes, namely;

(a) a second hand project, equipment or machinery:

Provided that a sugar undertaking shall be eligible to apply for a loan for a project where second hand equipment or machinery has been used or is proposed to be used, subject to the following conditions, namely:-.

(i) use of such second hand machinery or equipment shall not change the overall character of the project, which shall essentially consist of new plant, machinery and equipment;

(ii) it shall technically be certified that the use of the second hand machinery or equipment shall not affect the overall efficiency and life of the project;

(iii) the useful life of the second hand machinery or equipment so used shall not be less than the term of repayment of sugar development fund loan;

(iv) subject to fulfillment of conditions specified in clauses (i) to (iii), the estimated or actual cost of machinery or equipment which are not new shall be deducted from the estimated or actual cost of the project before arriving at the eligible project cost for the purpose of sugar development fund loan;

(b) refinancing;

Explanation.- For the purpose of this clause, the term 'refinancing' includes availing of loan for repayment of loan taken from any financial institution or scheduled bank before applying to a financial institution or bank for appraisal in which Sugar Development Fund

component is proposed, but shall not include a 'bridge loan' taken in lieu of Sugar Development Fund component after submitting an application to the Standing Committee on Sugar Development Fund.

(c) financing of cost over run;

(d) project commissioned prior to the date of application under these rules;

(e) if such sugar undertaking is a defaulter in respect of repayment of loan availed under Sugar Development Fund or in payment of any dues under the Levy Sugar Price Equalization Fund in respect of any of its sugar factories.

(D) in sub-rule (14), in clause (b), for the words "annually", the words "half yearly" shall be substituted;

(E) sub-rule (17) shall be omitted;

(F) for the Explanation, the following Explanation shall be substituted,-

"Explanation.- For the purpose of this rule, the expression "sugar factory" includes any unit thereof (which may or may not be within the premises of the sugar factory) used for bagasse based cogeneration power project for which raw material is supplied by the said sugar factory in accordance with the norms specified by the Standing Committee in this behalf."

19. In the said rules, in rule 24, sub-rule (3) shall be omitted.

20. In the said rules, in rule 25, save as otherwise provided,-

(a) for the words "sugar factory", wherever they occur, the words "sugar undertaking" shall be substituted;

(b) in sub-rule (3), for the words "two and a half per cent per annum on the amount of default shall be", the words "six percent per annum on the amount of default or at such rate as may be decided by the Central Govemment shall be" shall be substituted;

(c) in sub-rule (6), for the words "the sugar factory", the words "any sugar factory under the sugar undertaking" shall be substituted.

21. In the said rules, in rule 26,-

(a) in sub-rule (l), the following provisos shall be inserted, namely:-

"Provided that While so restructuring, no portion of the outstanding principal or simple-interest at applicable rates at the relevant time shall be waived off:

Provided further that the Central Government may, at its discretion, waive additional interest in full or in part, for reasons to be recorded in writing."

(b) in sub-rule (9), in clause '(b), 'for' the words "four percent per annum on the amount of default shall be", the words "six percent per annum on the amount of default or at such rate as may be decided by the Central Government shall be" shall be substituted;

(c) in sub-rule (14), for the words "sugar factory", the words "any sugar factory under the sugar undertaking" shall be substituted.

[F. No.1-16/2007-SDF]
T. JACOB, JL Secy.

Foot note: The Principal rules were published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) vide number G.S.R 752(E), dated 28-9-1983 and were subsequently amended by the following notifications:

(i) G.S.R 817 (E), dated the 20th December, 1984;
(ii) G.S.R 838 (E), dated the 14th November, 1985;
(iii) G.S.R 551 (E), dated the 6th May, 1988;
(iv) G.S.R 235(E), dated the 24th April, 1991;
(v) G.S.R 441 (E), dated the 28th April, 1992;
(vi) G.S.R 435 (E), dated the 6th May, 1994;
(vii) G.S.R 27 (E), dated the 12th January, 1996;
(viii) G.S.R 656 (E), dated the 21 st November, 1997;
(ix) G.S.R 91 (E), dated the 12th February, 2001;
(x) G.S.R 886 (E), dated the 6th December, 2001;
(xi) G.S.R 442 (E), dated the 21st June, 2002;
(xii) G.S.R 584 (E), dated the 19th August, 2002;
(xiii) G.S.R 67 (E), dated the 29th January, 2003;
(xiv) G.S.R 241 (E), dated the 25th March, 2003;
(xv) G.S.R 787 (E) dated the 6th October, 2003;
(xvi) G.S.R 895 (E), dated the 19th November, 2003;
(xvii) G.S.R 953 (E), dated the 17th December, 2003; .
(xviii) G.S.R 72 (E), dated the 23rd January, 2004;
(xix) G.S.R 687 (E), dated the 21st October, 2004;
(xx) G.S.R 739 (E), dated the 9th November, 2004;

(xxi) G.S.R 149 (E), dated the 2nd March, 2005;
(xxii) G.S.R 451 (E),dated the 4th July, 2005;
(xxiii) G.S.R 558 (E), dated the 15th September, 2006;
(xxiv) G.S.R 188 (E), dated the 9th March, 2007;
(xxv) G.S.R. 697 (E), dated the 7th November, 2007;
(xxvi) G.S.R 699 (E), dated the 8th November, 2007;'
(xxvii) G.S.R 738 (E), dated the 29th November, 2007;
(xxviii) G.S.R 749 (E), dated the 5th December, 2007;
(xxix) G.S.R. 115 (E), dated the 28th February, 2008;
(xxx) G.S.R. 279 (E), dated the 10th April, 2008;
(xxxi) G.S.R. 388 (E), dated the 19th May, 2008.
(xxxii) G.S.R.508 (E), dated the 7th July, 2009

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಜಿ. ಶ್ರೀಧರ್,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 76

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 46 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 6ನೇ ನವೆಂಬರ್ 2012.

2012ನೇ ಸಾಲಿನ 13–08–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷೆನ್ 3(i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 631(E) ದಿನಾಂಕ: 13–08–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF CULTURE

(Archaeological Survey of India)

NOTIFICATION

New Delhi, the 13th August, 2012

G.S.R. 631(E).- Whereas certain draft rules further to amend the Ancient Monuments and Archaeological Sites and Rules, 1959, were published, as required by sub-section (1) of section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), in the Gazette of India, Part-II, Section 3, Sub-section (i), dated the 4th November, 2011 vide notification of the Government of India in the Ministry of Culture, Archaeological Survey of India number G.S.R.822(E)', dated the 4th November, 2011, inviting objections and suggestions from alt persons likely to be affected thereby within thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas the said Gazette was made available to the public on 4th November, 2011:

And whereas no objections and suggestions were received;

Now, therefore, in exercise of the powers conferred by section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following rules further to amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, narnely:--

RULES

1. (l) These rules may be called the Ancient Monuments and Archaeological Sites mid Remains (Second Amendment) Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette,

2. In the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, in rule 6-

(A) in clause (a) for item (i), the following item shall be substituted, namely:"

"(i) citizen of India, visitors of SAARC (Bangladesh, Nepal, Bhutan, Sri Lanka, Pakistan, Maldives and Afghanistan) and BIMSTEC Countries" (Bangladesh, Nepal, Bhutan, Sri Lanka, Thailand and Myanmar) and Overseas Citizens of India –Rs. 10/- per head";

(B) in clause (b) for item (i), the following shall be substituted; namely:-

" (i) citizen ofIndia, visitors of SAARC (Bangladesh, Nepal, Bhutan, Sri Lanka, Pakistan, Maldives and Afghanistan) and BIMSTEC Countries (Bangladesh, Nepal, Bhutan, Sri Lanka, Thailand and Myanmar), and Overseas Citizens of India-Rs. 5/- per head".

[F. No. 13/7/05/M]

Dr. GAUTAM SENGUPTA,

Director General

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II Section 3, Sub-Section (ii) dated the 15th October, 1959 and subsequently amended vide:-

1. No. S.O. 3520 dated 20th November, 1966
2. No.G.S.R 663 dated 1st May, 1967
3. No. S.O. 5002 dated 13th December, 1969
4. No. S.O.935 dated 16th February, 1971
5. No. G.S.R. 90 dated 30th January; 1991
6. No. G.S.R. 306 dated 10th July, 1996
7. No. G.S.R. 799(E) dated 17th October, 2000
8. No. G.S.R 800(E) dated 17th October, 2000
9. No. G.S.R 848(E) dated 3rd November, 2000
10. No. S.O.dated 10(E) dated 5th January 2001
11. No. G.S.R 688(E) dated 24th September, 2001
12. No. G.S.R 372(E) dated 30th April, 2003
13. No. G.S.R 112(E) dated 27th February.2008
14. No. G.S.R 164(E) dated 5th March, 2008
15. No. G.S.R 436(E) dated 9th June, 2008
16. No. G.S.R. 529(E) dated 16th July, 2008
17. No. G.S.R. 37(E) dated 18th January, 2012

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆಜ್ಞಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಜಿ. ಶ್ರೀಧರ್,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 93

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 51 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 07ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 11–06–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 440(E).

ದಿನಾಂಕ : 11–06–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 11th June, 2012

G.S.R. 440(E) :-In exercise of the powers conferred by clause (h) of sub-section (2) of Section 35 of the National Green Tribunal Act, 2010 (19 of 2010), the Central Government hereby makes the following rules to amend the National Green Tribunal (Recruitment, Salaries and Other Terms and Conditions of Service of Officers and other Employees) Rules, 2011 namely:-

1. (1) These rules may be called the National Green Tribunal (Recruitment, Salaries and Other Terms and Conditions of Service of Officers and other Employees) Amendment Rules,2012.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. In the Schedule to the National Green Tribunal (Recruitment, Salaries and Other Terms and Conditions of Service of Officers and other Employees) Rules, 2011;

(a) in the entries against serial number 6 relating to the post of Principal Private Secretary, under column 11, for the words " Degree in Law " at both the places where they occur, the words "Bachelor`s Degree" shall respectively be substituted;

(b) in the entries against serial number 8 relating to the post of PA (Stenographer Grade C)/Court Master, (i)

under column 6, for the figures and words "21-27 years", the figures and words "21-30 years" shall be substituted; (ii) under column 7, - (A) for the words and figures "Degree in Law with at least 55% marks", the words "Bachelor`s Degree" shall be substituted;

(B) the following shall be inserted at the end namely :-

"Desirable : Degree in Law from a recognized University".

(C) in the entries against serial number 12 relating to the post of Accounts Officer, under column 11, for the brackets, letters, figures and words "(GP-4800) with 8 years", the brackets, words and figures "(Grade Pay Rs.4600) with 3 years" shall be substituted.

[F.No.17(23)/2010-PL/NGT (Vol.II)]
SURJIT SINGH, Jt.Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary vide notification number 458 (E) dated the
17th June, 2011.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಜಿ. ಶ್ರೀಧರ್,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 78

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 57 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 07ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 20–06–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 464(E).

ದಿನಾಂಕ : 20–06–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

New Delhi, the 20th June, 2012

G.S.R. 464(E) :-In exercise of the powers conferred by section 32, read with sub-section (7) and (8) of section 6 of the Prasar Bharati (Broadcasting Corporation of India Act, 1990(25 of 1990), the Central Government hereby makes the following rules furthrer to amend the Prasar Bharathi (Broadcasting Corporation of India) Salaries, Allowances and other Conditions of Service of Chairman, Whole –time Members and Part-time Members Rules, 2000, namely :-

1. (1). These rules may be called the Prasar Bharathi (Broadcasting Corporation of India) Salaries, Allowances and other Conditions of Service of Chairman, Whole –time Members and Part-time Members Rules,2012.

(2). They shall come into force from the date of their publication in the Official Gazette.

2. In the Prasar Bharathi (Broadcasting Corporation of India) Salaries, Allowances and other Conditions of Service of Chairman, Whole –time Members and Part-time Members Amendment Rules,2000,-

(a) in rule 13, for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) " The Chairman and a Part-time Member shall each receive a meeting allowance at the rate of rupees five thousand per meeting subject to a maximum amount of rupees ten thousand per month or rupees one lakh twenty per annum for Board meetings and rupees fifteen thousand per month or rupees on lakh eighty thousand per annum for the meetings of the committices of the Board".

(b) in rule 14, - (i) in sub-rule (1), in the proviso, for the words " rupees five thousand", the words "rupees six thousand two hundred and fifty " shall be substituted;

(ii) in sub-rule (2), in the proviso, for the words " rupees five thousand", ", the words "rupees six thousand two hundred and fifty " shall be substituted;

[F.No.12018/8/2001-BA(P)]
SUPRIYA SAHU, Jt.Secy

Note: The principal rules were published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) vide G.S.R. number 863(E) dated the 10th November, 2000 and subsequently amended vide G.S.R.126 (E)dated the 1st March, 2006..

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಜಿ. ಶ್ರೀಧರ್,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 79

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 49 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 07ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 31–07–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 603(E)

ದಿನಾಂಕ : 31–07–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 31st July, 2012

G.S.R. 603(E) :-In exercise of the powers conferred by Section 27, of the Right of Information Act, 2005 (22 of 2005) and in supersession of the Central Information Commisssion (Appeal Procedure) Rules, 2005 and the Right to Information (Regulation of Fee and Cost) Rules, 2005 except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely :-

1. Short title and commencement:- (1) These rules may be called the Right to Information Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette

2. Definitions:- In these rules, unless the context otherwise requires,-

(a) “Act” means the Right to Information Act, 2005 (22 of 2005);

(b) “Commission” means the Central Information Commsiision constituted under sub-section (1) of Section 12 of the Act;

(c) “First Appellate Authority” means an officer in the public authority who is senior in rank to the Central Public Information Officer to whomj an appeal under sub-section (1) of Section 19 of the Act lies;

(d) “Registrar” means an officer of the Commission so designated and includes an Additional Registrar, Joint Registrar and Deputy Registrar;

(e) “Section” means a Section of the Act;

(f) all other words and expressions used herein but not defined in therse rules shall have the same meanings assigned to them in the Act.

3. Application Fee:- An application under sub-section (1) of Section 6 of the Act shall be accompanied by a fee of rupees ten and shall ordinarily not contain more than five hundred words, excluding annexures, containing address of the Central Public Information Officer and that of the applicant:

Provided that no application shall be rejected only on the ground that it contains more than five hundred words.

4. Fees for providing information:- Fee for providing information under sub-section (4) jof Section 4 and sub-sections(1) and (5) of Section 7 of the Act shall be charged at the following rates, namely :-

(a) rupees two for each page in A-3 or smaller size paper;

(b) actual cost or price of a photocopy in large size paper;

(c) actual cost or price for samples or models;

(d) rupees fifty per diskette or floppy;

(e) price fixed for a publication or rupees two per page of photocopy for extracts from the publication;

(f) no fee for inspection of records for the first hour of inspection and a fee of rupees 5 for each subsequent hour or fraction thereof; and

(g) so much of postal charge involved in supply of iriformation that exceeds fifty rupees.

5. Exemption from Payment of Fee:- No fee under rule 3 and rule 4 shall be charged from any person who is below poverty line provided a copy of the certificate issued by the appropriate Government in this regard is submitted alongwith the application.

6. Mode of Payment of fee:- Fees under these rules may be paid in any of the following manner, namely :-

(a) in cash, to the public authority or to the Central Assistant Public Information Officer of the public authority, as the case may be, against a proper receipt; or

(b) by demand draft or bankers cheque or Indian Postal Order payable to the Accounts Officer of the public authority; or

(c) by electronic means to the Accounts Officer of the public authority, if facility for receiving fees through electronic means is available with the public authority.

7. Appointment of Secretary to the Commission:- The Central Government shall appoint an officer not below the rank of Additional Secretary to the Government of India as Secretary to the Commission.

8. Appeal to the Commission:- Any person aggrieved by an order passed by the First Appellate Authority or by non-disposal of his appeal by the First Appellate Authority, may file an appeal to the Commission in the for mat given in the Appendix and shall be accompanied by the following documents, duly authenticated and verified by the appellant namely:-

(i) a copy of the app,lication submitted to the Central Public Information Officer;

(ii) a copy of the reply received, if any, from the Central Public Information Officer;

(iii) a copy of the appeal made to the First Appllate Authority;

(iv) a copy of the Order received, if any, from the First Appllate Authority;

(v) copies of other documents relied upon by the appellant and referred to in his appeal; and

(vi) an index of the documents referred to in the appeal

9. Return of Appeal:- An appeal may be returned to the appellant, if it is not accompanied by the documents as specified in rule 8, for removing the deficiencies and filing the appeal complete in all respects.

10. Process of appeal:- (1) On receipt of an appeal, if the Commission is not satisfied that it is a fit case to proceed with, it may, after giving an oppurtunityu of being heard to the applellant and after recording its reasons, dismiss the appeal:

Provided that no appeal shall be dismissed only on the ground that it has not been made in the specified format if it is accompanied by documents as specified in rule 8.

(2) The Commission shall not consider an appeal unless it is satisfied that the appellant has aviled of all the re medies available to him under the Act.

(3) For the purposes of sub-rule (2), a person shall be deemed to have availed of the remedies available to him under the Act:

(a) if he had filed and appeal before the First Appleate Authority and the First Appellate Authority or any other person competent to pass order on such appeal had made a final order on the appeal; or

(b) where no final order has been made by the First Appellate Authority with regard to the appeal preferred, and a period of forty five days from the date on which such appeal was preferred has elapsed.

11. Procedure for deciding appeals:- The Commission, while deciding an appeal may,-

(i) receive oral or written evidence on oath or on affidavit from concerned or interested person;

(ii) peruse or inspect documents, public records or copies thereof;

(iii) inquire through authorized officer further details or facts;

(iv) hear Central Public Information Officer, Central Assistant Public Information Officer or the First Appellate Authority, or such person against whose action the appeal is preferred, as the case may be;

(v) hear third party; and

(vi) receive evidence on affidavits from Central Public Information Officer, Central Assistant Public Information Officer, First Appellate Authority and such other person against whom the appeallies or the third party.

12. Presence of the appellant before the Commission:- (1) The appellant shall be informed of the date at least seven Clear days before the date of hearing.

(2) The appellant may be present in person or through his duly authorised representative or through video conferencing, if the facility of video conferencing is available, at the time of hearing of the appeal by the Commission.

(3) Where the Commission is satisfied that the circumstances exist due to which the appellant is unable to attend the hearing, then, the Commission may afford the appellant another opportunity of being heard before a final decision is taken or take any other appropriate action as it may deem fit.

13. Presentation by the Public Authority:- The public authority may authorise any representative or any of its officers to present its case.

14. Service of notice by Commission:- The Commission may issue the notice by name, which shall be served in any of the following modes, namely:-

(i) service by the party itself;

(ii) by hand delivery (dasti) through Process Server;

(iii) by registered post with acknowledgement due;

(iv) by electronic mail in case electronic address is available.

15. Order of the Commission:- The order of the Commission shall be in writing and issued under the seal of the Commission duly authenticated by the Registrar or any other officer authorized by the Commission for this purpose.

[F.No.1/35/2009-IR]
MANOJ JOSHI, Jt.Secy.

APPENDIX

Format of Appeal

(See Rule 8)

1. Name and address of the appellant
2. Name and address of the Central Public Information Officer to whom the application was addressed
3. Name and address of the Central Public Information Officer who gave reply to the Application
4. Name and address of the First Appellate Authority Who decided the First Appeal
5. Particulars of the application
6. Particulars of the order(s) including number, if any, against which the appeal is preferred
7. Brief facts leading to the appeal
8. Prayer or relief sought
9. Grounds for the prapyer or relief
10. Any other information relevant to the appeal
11. Verification/authentication by the appellant

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಜಿ. ಶ್ರೀಧರ್,
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 81

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 48 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 22–08–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 647(E)

ದಿನಾಂಕ : 22–08–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF PETROLEUM AND NATURAL GAS

NOTIFICATION

New Delhi, the 22nd August, 2012

G.S.R. 647(E) :-In exercise of the powers conferred by section 3, of the Essential Commodities Act, 1955(10 of 1955), the Central Government hereby makes the following rules further amendments to The Liquified Petroleum Gas (Regulation of Supply and Distribution) Order, 2000, namely :-

1. (1) This Order may be called the Liquified Petroleum Gas (Regulation of Supply and Distribution) Amendment Order, 2012,

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Liquified Petroleum Gas (Regulation of Supply and Distribution) Order, 2000, in Schedule-I, for serial number 13 and the entries as inserted by the Liquified Petroleum Gas (Regulation of Supply and Distribution) Amendment Order, 2009, vide

notification number G.S.R. 655(E), dated 10th September, 2009 the following serial number and entries shall be substituted, namely :-

13. Providing domestic Liquiefied Petroleum Gas connection to a consumer who is already owning a Piped Natural Gas connection.

Prohibited Activities

(for Piped Natural Gas Providing companies)

1. Providing Piped Natural Gas connection to an existing consumer of domestic Liquified Petroleum Gas of a Government Oil Company, without obtaining an undertaking to surrender or to keep in safe custody the Liquified Petroleum Gas connection within sixty days from the date of obtaining Piped Natural Gas connection.
2. Continue to supply piped natural gas to an existing consumer of domestic Liquefied Petroleum Gas of a Government Oil Company who has not surrendered or kept in safe custody the domestic Liquefied Pertroleum Gas connection after sixty days from the date of obtaining Piped Natural Gas connection."

[F.No.P-17011/4/2007-Mkt]

Dr. NEERAJ MITTAL, Jt.Secy

Note : The principal notification was published in the Gazette of India, Extraordinay, Part II, Section 3, Sub-section (i) vide number G.S.R. 487(E), dated the 26th April, 2000 and was subsequently amended vide number G.S,R. 177(E), dated 6th March, 2002, number G.S.R. 730(E), dated 22nd November, 2007, number G.S.R.655(E), dated 10th September, 2009, number G.S.R. 452(E), dated 26th May, 2010 and number G.S.R.718(E), dated 26th September, 2011..

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಜಿ. ಶ್ರೀಧರ್,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

P.R. 83 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 66 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 18–05–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 372(E)

ದಿನಾಂಕ : 18–05–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Ayurveda, Yoga and Naturopathy, Unani, Sidda and Homoeopathy)

NOTIFICATION

New Delhi, the may, 2012

G.S.R. 372(E) :-In exercise of the powers conferred by section 4 and section 35 of the Indian Medicine Central Council Act, 1970(48 of 1970), the Central Government hereby makes the following rules further to amend the Indian Medicine Central Council (Electron) Rules, 1975 namely :-

1. (1). These rules may be called the Indian Medicine Central Council (Election) Second Amendment Rules, 2012,

   (2). They shall come into force on the date of their publication in the Official Gazette.

2. In Indian Medicine Central Council (Electron) Rules, 1975 (herein after referred to as the said rules) for clause (d) of rule 2, the following clause shall be substituted, namely :-

"(d) Returning Officer" means any officer of the State Government or the Union territory, as the case may be, who is from the administrative services of the State Government or the Union terrritory, not below the rank of a Joint Secretary to the State Government or the Union terrotpru cpmcerned, appointed on the recommendations of the State Government or the Union territory as such by the Central Government for the purposes of these rules;

Provided that the Registrar of the concerned Board, (bu whatever name called) who maintains the register of practioners in the State shall not be appointed as the Returning Officer."

1. In the said rules, in rule 4, after sub-rule (2), the following sub-rules shall be inserted namely:-

"(3) After expiry of one month`s notice as mentioned in sub-rule (2), the elections shall be conducted as per the names enrolled in the register available as on date:

Provided that the Central Governement shall not entertain any dispute referred to it, before or after the election, with regard to any irregiularities in the State register as made available to the Returning Officer by the Registrar of the concerned State Board who is reponsible for maintaining the State Register, as defined in clause 2 (i) of the Indian Medicine Central Council Act, 1970"."

2.In the said rules, in rule 22, afrer sub-rule (3), the following sub-rule shall be inserted, namely:-

"(4) The issues relating to the eligibility of the members of the faculty or Department (by whatever name called), of the Ayurveda, Siddha and Unani Systems of medicines the Universities shall be decided by the University concerned as per its bylaws and Satutes. "

3.In the said rules after rule 25, the following rules shall be added at the end, namely:-

"26. Observer – (1) The Central Government shall nominate an observer to monitor the conduct of election and to perform such other functions as may be entrusted to him by the Central Government.

(2) The Observer shall be present at the designated venue on the day fixed for scrutiny jof nomination papers and shall also be present at the designated venue on the day fixed for scrutiny and counting of votes and shall submit his report to the Central Government.

27. Returning officer or Registrar of Universities to inquire into disputes raised during election process.-

Notwithstanding anything contained in the rules, the Returning officer or the Registrar, as the case may be, shall decide into the disputes raised during the election process i.e., from date of receipt of the nomination papers till the date of declaration of result.

Provided that the Central Government shall decide all such issues if referred to it within the time period specified in rule 25, irrespective of whether or not the same disputes raised before the Returning Officer or the Registrar has been decided or not.

28. Procedure for dealing with election disputes

(1)The Central Government, after receipt of diapute under sub-section (2) of section 4 of the Act regarding any election, shall appoint an Inquiry officer not below the rank of Under Secretary to the Government of India to inquire into that dispute.

(2)The Inquiry officer within one week of his appointment shall send notice of hearing to the parties to the diapute asking them to submit statements in writing, if any, on the dispute within reasonable time as may be specified by him and shall also fix the date of hearing.

(3) After the expiry of the time specified for submission of statements, the Inquiry officer shall hear the dispute on such date and at such time and place as has been specified irrespective of whether written statement have been received or not and shall give reasonable opportunity to the parties to be heard.

(4) All parties to the dispute shall have the right to appear before the Inquiry Officer, only in person.

(5) Non-appearance of the parties to the dispute shall not be a ground for postponement of hearing on the date already fixed and the hearing shall proceed ex-parte untill circumstances of non-apparance are beyond the control of the parties.

(6) During any stage of Inquiry, the Inquiry officer shall have the right to examine such other documents and persons as deemed necessary by him for conduct of inquiry.

(7) After hearing all the concerned parties, the Inquiry officer shall prepare an inquiry report within a period of sixty days of his appointment and submiot it to the Central Government for its consideration and decision.

(8) The Central Government shall endeavor to take a decision on the inquiry report as submitted by the Inquiry officer and communicate its decision on a dispute within thirty days of receipt of the inquiry report.

29. Voting papers to be retained for six months by the Registrar:- "Upon the completion of the counting and after the rersult has been declared by him, the Registrar shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and he shall not destroyt or cause to be destroyed the records even after six months without the previous concurrence of the Central Government"

[F.No.A-11019/10/12-RD/CCIM (Election)]

BALA PRASAD, Jt.Secy.

Note : The principal rules were published in the Gazette of India vide number G.S.R2350, dated the 14th August, 1975 and subsequently amended vide number G.S.R. 151(E), dated the 15th March, 2012..

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್.ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 94

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 71 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 15–05–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 368(E)

ದಿನಾಂಕ : 15–05–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF RAILWAYS

(LAND DEVELOPMENT AUTHORITY)

NOTIFICATION

New Delhi, the 15th May, 2012

G.S.R. 368(E) :- In exercise of the powers conferred by sub-section (1) of section 4-I, read with section 4F of the Railways Act, 1989 (24 of 1989) and rule 23 of the Rail Land Development Authority (Constitution) Rules, 2007, the Rail Land Development Authority, with the previous approval of the Central Government, hereby makes the following regulations, namely,

1. Short title and commencement.- (1). These regulations may be called the Rail Land Development Authority (Transaction of Business) Regulations, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these regulations, unless the context otherwise requires:-

(a) "Act" means the Railways Act, 1989 (24 of 1989);

(b) "Authority" means Rail Land Development Authority constituted under section 4A of the Act;

(c) "Chairman" means the Chairman of the Authority;

(d) "Member" means a Member of Authority and includes the Chairman and Vice-Chairman.

(e) "Secretary" means the Secretary of the Authority appointed under sub-rule (8) of rule 8 of the Rail Land Development Authority (Constitution) Rules, 2007.

(f) "Vice-Chairman" means the Vice-Chairman of the Authority.

(2) Words and expressions used herein and not defined but defined in the Act and the Rail Land Development Authority (Constitution) Rules, 2007, shall have the same meaning as respectively assigned to them in the Act or said rules.

3. Meeting of the Authority.- (1) The meeting of the Authority shall be held at New Delhi at such time as may be decided by the Chairman.

(2) The meeting of the Authority shall be held once in three months and there shall be a total of at least four meetings in every financial year and there shall be gap between two successive meetings of the Authority which shall not exceed four months.

(3) The Secretary shall circulate the notice of the meeting of the Authority along with agenda notes among the Members at least two working days before the date fixed for such meeting.

(4) The Chairman or Vice-Chairman may, at his discretion, call for a special meeting either on his own or on receipt of a requisition in writing from at least two Members, specifying the subject for consideration at the said meeting.

(5) On receipt of the requisition under sub-regulation (4), the Chairman shall fix a date for the special meeting of the Authority on such date which shall not be later than ten days from the date of such requisition and send the notices along with the agenda by circulation among the Members by messenger before one clear working day on which the special meeting is fixed.

(6) Notice of the meeting of the Authority may be given to the Member by delivering the same by messenger or sending it by registered post to his last known place residence or business in such manner as the Secretary may, in the circumstances of the case , think fit.

(7) Every meeting of the Authority shall be presided over by the Chairman and, if for any reason, the Chairman is unable to attend the meeting of Authority, the Vice-Chairman shall preside at the meeting.

4. Quorum.- The quorum for the meeting of the Authority shall be two-third of the total Members, after deducting there from the number of Members, if any, whose places may be vacant at the time.

5. Conduct of meetings.- (1) The meeting of the Authority shall be conducted in the following manner, namely:-

(a) the minutes of the previous meeting of the Authority or any special meeting of the Authority, if any, shall be read and confirmed;

(b) confirmation of decision taken by the Authority by circulation under regulation 7;

(c) the business postponed at the previous meeting, if any, shall then be considered;

(d) subject included in the agenda shall thereafter be considered;

(e) any other matter may also be considered with permission of the Chair;

Provided that the Chairman or, in his absence, the Vice-Chairman may, at his discretion, change the order of business.

(2) At a special meeting, the business for which the special meeting has been called shall only be considered.

(3) The Member, who is not present at the meeting of the Authority, shall be intimated by fax or official e-mail regarding the date and time of the next meeting of the Authority.

(4) If a Member differs in his view on any issue raised in the meeting of the Authority, such view shall be recorded in minutes of the meeting.

(5) All decisions of the Authority shall be taken on the basis of the majority of Members present and voting, and in the event of an equality of votes, the Chairman or Vice-Chairman who presides the meeting shall have the right to exercise a second or casting vote.

6. Minutes of meeting.- (1) The minutes of each meeting of the Authority shall be prepared by the Secretary within ten days of the date of the meeting and shall thereafter, be sent to the Member who has attended the meeting for approval.

(2) The minutes approved by all Members shall thereafter be authenticated and issued by the Secretary and also be kept on record in a minute book.

(3) The minute book shall be kept by the Secretary in the office of the Authority and be open for inspection by any member.

(4) The minutes of every meeting of the Authority prepared under sub-regulation (1) shall be confirmed at the next meeting of the Authority:

Provided that the suggestions or comments received from Members, shall be considered at the meeting of the Authority where the minutes are put up for confirmation.

(5) All resolutions and decisions taken at the meeting of the Authority shall recorded in the minutes.

(6) The Secretary shall make and compile subject wise all resolutions and decisions made in the meetings of the Authority and he shall make it available to all Members at the end of the calendar year.

7. Transaction of business by circulation of papers.-(1) Notwithstanding anything contained in regulation 3, if in the opinion of the Chairman or the Vice-Chairman, any matter requires urgent attention of the Authority, it may be dealt with by circulation of papers under registered cover among all the Members at their usual address and any resolution so circulated shall be taken as passed if majority of Members approve it, in writing, and shall be as effectual and binding as if the resolution has been passed at a meeting of the Authority.

(2) When any business is so referred to the Memver by circulation of papers, a period of not more than 2 working days shall be allowed for the receipt of remark or repiy from the Member, such period to be counted from the time when the notice of business is issued to the Member in writing.

(3) Any resolution passed under this resolution shall be placed before the next meeting of the Authority for confirmation.

8. Matters to be considered in the meeting of the Authority.- The Authority shall consider and decide on all or any of the matters connected with the affairs of the Authority as per the agenda of the meeting of Authority:

Provided that the Chairman or Vice-Chairman shall consider and decide any other matter which are not included in the agenda of the meeting of the Authority.

9. Member not to participate in meeting in certain cases.- If, any Member is interested in any matter coming up for consideration at a meeting fof the Authority, he shall not participate or vote in any deliberation or decision of the Authority with respect to that matter.

10. Interpretation.- If any question arises relating to the interpretation of these regulations, the matter shall be referred to the Authority who shall decide the same.

[F.No.Z-2008/LML/2/23]

RAJESH KUMAR, Secy. To the Authority

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್.ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

P.R. 88

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 61 ಕೇನಿಪ್ರ 2012, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 15ನೇ ನವೆಂಬರ್, 2012.

2012ನೇ ಸಾಲಿನ 18–05–2012 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(1) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 373 (E)

ದಿನಾಂಕ : 18–05–2012 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy)

NOTIFICATION

New Delhi, the 18th May, 2012

G.S.R. 373(E) :-In exercise of the powers conferred by sub-section (1) of section 4 and sub-section 32 of the Homeopathy Central Council Act, 1973 (50 of 1973), the Central Government hereby makes the following rules further to amend the Homoeopathy Central Council (Election) Rules, 1975, namely :-

1. (1) These rules may be called the Homoeopathy Central Council (Election) second Amendment Rules, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Homoeopathic Central Council (Election) Rules, 1975 (hereinafter referred to as the said rules),for clause (d) of rule 2, the following clause shall be substituted, namely:-

"(d) Returning Officer" means any officer of the State Government or the union territory as the case may be who is from the administrative services of the State Government or the Union territory not below the rank of a Joint Secretary to the State Government or the Union territory concerned appointed on the recommendations of the State Government or the Union territory as such by the Central Government for the purposes of these rule.

Provided that Registrar of the concerned Board, by whatever name called who maintains the register of practitioners in the State shall not be appointed as the Returning Officers;"

3. In the said rules, in rule 4, after sub-rule (2), the following sub-rules shall be inserted namely:-

“(3) After expiry of one month’s notice, as mentioned in sub-rule (2), the elections shall be conducted as per the names enrolled in the register available as on date :

Provided that the Central Government shall not entertain any dispute referred to it, before or after the elections, with regard to any irregularities in the State register as made available to the Returning Officer by the Registrar of the concerned State Board who is responsible for maintaining the State Register as defined in clause2(i) of the Homeopathy Central Council Act, 1973.

4. In the said rules, in rule 22, after sub- rule (2), the following sub-rule shall be inserted namely:-

"(3) The issues relating to the eligibility of the member of the faculty or Department (by whatever name called), of Homeopathy of the Universities shall be decided by the University concerned as per its by-laws and Statutes.";

5. In the said rules, after rule 25, the following rules shall be added at the end, namely:-

"26. Observer – (1) The Central Government shall nominate an observer to monitor the conduct of election and to perform such other functions as may be entrusted to him by the Central Government.

(2) The Observer shall be present at the designated venue on the fixed for scrutiny of nomination papers and shall also be present at the designated venue on the day fixed for scrutiny and counting of votes and shall submit his report to the Central Government.

27. Returning officer or Registrar of University to inquire into disputes raised during election process –

Notwithstanding anything contained in the rules, the Returning officer or the Registrar, as the case may be, shall decide into the disputes raised during the election process i.e. from date receipt of the nomination papers till the date of declaration of result:

Provided that the Central Government shall decide all such issues if referred to it within the time period specified in rule 25, irrespective of whether or not the same disputes raised before the Returning Officer or the Registrar has been decided or not.

28. Procedure for dealing with election disputes

(1) The Central Government, after receipt of dispute under sub –section (2) of section 4 of the Act regarding any election, shall appoint an Inquiry officer not below the rank of Under Secretary to the Government of India to inquire into that dispute.

(2) The inquiry officer within one week of his appointment shall send notice of hearing to the parties to the dispute asking them to submit statements in writing, if any, on the dispute within reasonable time as may be specified by him and shall also fix the date of hearing.

(3) After the expiry of the time specified for submission of statements, the Inquiry officer shall hear the dispute on such date and at such time and place as has been specified irrespective of whether written statement have been received or not and shall give reasonble opportunity to the parties to hear.

(4) All parties to the dispute shall have the right to appear before the Inquiry officer, only in person.

(5) Non-appearance of the parties to the dispute shall not be a ground for postponement of hearing on the date already fixed and the hearing shall proceed ex- parte until circumstances of non-appearance are beyond the control of the parties.

(6) During any stage of inquiry, the Inquiry officer shall have the right to exa mine such other documents and persons as deemed neceessary by him for conduct of inquiry.

(7) After hearing all the concerned parties, the Inquiry officer shall prepare an inquiry report within a period of sixty days of his appointment and submit it to the Central Government for its consideration and decision.

(8) The Central Government shall endeavor to take a decision on the Inquiry report as submitted by the Inquiry officer and communicate its decision on a dispute within thirty days of receipt of the Inquiry report.

29. Sealing and custody of election papers:- "Upon the completion of the counting and after the result has been declared by him, the Registrar shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and he shall not destroy or cause to be destroyed the records even after six months without the previous concurrence of the Central Government;".

[No.Z-28016/01/2012-HPC/5/2012]

BALAPRASAD, Jt.Secy.

Note : The principal rules were published in the Gazette of India vide number G.S.R 611 dated the 5th May 1975 and subsequently amended vide numbers, namely:-

(i) S.O.725 dated 11th March, 1978;

(ii) G.S.R. 576 (E) dated 29th September, 1982; and

(iii) G.S.R. 279 (E) dated 2nd April, 2012

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್.ಆಂಜಿನಿ,

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

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